

THE QUARANTINE (AIRCRAFT) REGULATIONS, 1961

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L.N. 135 of 1961.

THE QUARANTINE ORDINANCE (CHAPTER 172)

The Quarantine (Aircraft) Regulations, 1961

Commencement : 26th October, 1961

In exercise of the powers conferred by section 4, of the Quarantine Ordinance, the Governor-General, acting in accordance with the advice of the Council of Ministers, has made the following regulations—

PART I.—PRELIMINARY

Citation
and
application.

1. (1) These regulations may be cited as the Quarantine (Aircraft) Regulations, 1961, and shall be of Federal application.

(2) Nothing in these regulations shall apply to any Aircraft forming part of Her Majesty's armed forces, or to the officers and crew thereof, or to any aerodrome under the control of such forces.

Interpreta-
tion.

2. (1) In these regulations, unless the context otherwise requires—

“additional measures” means such of the additional measures specified in the Second Schedule to these regulations with respect to the quarantinable diseases as are appropriate ;

“aerodrome” means any area of land or water designed, equipped, set apart or commonly used for affording facilities and departure of aircraft ;

“Aircraft Declaration of Health” means a declaration in the form specified in the First Schedule to these regulations ;

“authorised officer” means the medical officer or any other officer appointed by the responsible authority under regulation 3 to enforce and execute any of these regulations.

“commander” means the person for the time being in command of an aircraft ;

“day” means any interval of twenty-four hours ;

“infected aircraft” means—

(a) an aircraft which has on board on arrival a case of cholera, human plague, smallpox or yellow fever ; or

(b) an aircraft on which a plague—infected rodent is found on arrival ;
or

(c) an aircraft which has had a case of smallpox on board during its voyage on which it has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided by these regulations ;

“infected local area” means an aerodrome or other area included in the list kept by the medical officer pursuant to regulation 4, and references to an area infected with a specified disease shall be construed accordingly ;

“infected person” means a person who is suffering from a quarantinable disease, or who is considered by the medical officer to be infected with such disease ;

“infectious disease” means a quarantinable disease or any other infectious disease other than venereal disease or tuberculosis ;

“International Sanitary Regulations” means the International Sanitary Regulations (W.H.O. Regulations No. 2) adopted by the Fourth World Health Assembly on 25th May, 1951, and amendments thereto approved subsequently by any World Health Assembly ;

"Medical Officer" means the medical officer of health or any other registered medical practitioner appointed by a responsible authority pursuant to regulation 3 ;

"pilgrimage" means the pilgrimage to the Holy places in the Hedjaz ;

"quarantinable disease" means cholera, plague, relapsing fever, smallpox, typhus or yellow fever ;

"relapsing fever" means louse-borne relapsing fever ;

"sanitary airport" means an airport so designated by the Governor-General and contained in the Third Schedule ;

"suspect" means a person (not being an infected person) who is considered by the medical officer to have been exposed to infection by a quarantinable disease and to be capable of spreading the disease ;

"suspected aircraft" means an aircraft from which a case of cholera occurring on board during the voyage has been disembarked before the arrival of the aircraft, and which has not before arrival been subjected in respect of such case to appropriate measures equivalent to those provided for in these regulations ;

"typhus fever" means louse-borne typhus ;

"voyage", in relation to an aircraft, means the flight of the aircraft from its point of origin *via* any intermediate points to its point of termination ;

"yellow-fever receptive area" means an area in which the virus of yellow fever does not exist but where the presence of *Aedes aegypti* or any other domiciliary or peri-domiciliary vector of yellow fever would permit its development if introduced ;

(2) Any reference, however expressed, to a person leaving an aircraft shall be construed as a reference to that person leaving the aircraft and not continuing his journey in that aircraft.

(3) An aircraft shall not be considered as having come from an infected area if it has landed only in such an area at a sanitary airport which is not itself an infected local area.

PART II.—GENERAL

3. For the purposes of these regulations the administration of a Region may, and if required by the Governor-General, shall—

(a) appoint such registered medical practitioners as may be necessary for the proper enforcement and execution thereof ;

(b) give direction from time to time as to the duties which are to be performed by any medical practitioner so appointed or any other officer authorised to enforce and execute these regulations ;

(c) at or in connection with a sanitary airport, provide or arrange for provision of—

(i) premises or waiting rooms for the medical inspection and examination of persons,

(ii) premises for the temporary isolation of persons in accordance with these regulations ;

(d) at or in connection with a sanitary airport, arrange for the reception into a hospital of persons requiring to be removed thereto pursuant to these regulations ;

Appointment and duties of authorised officers.

(e) arrange for the provision of transport for the conveyance of persons to any such premises as are referred to in paragraph (c) of this regulation, or to a hospital;

(f) at or in connection with a sanitary airport, provide or arrange for the provision of—

(i) apparatus or other means for cleansing, disinfecting and disinsecting aircraft, persons and clothing and other articles, and deratting aircraft;

(ii) a laboratory for the examination of suspected material, or equipment for taking and despatching such material for examination in a laboratory.

Medical officer to keep list of infected area.

4. (1) The medical officer at a sanitary airport shall from time to time prepare and keep up-to-date a list of aerodromes and other areas which are infected or believed to be infected with a quarantinable disease or which may serve other places or areas so infected or believed to be so infected, and including areas which have been notified as yellow fever receptive areas by the World Health Organisation pursuant to the International Sanitary Regulations.

(2) The medical officer shall supply copies of every such list and any amendment thereto to the person in charge of the airport.

PART III.—INCOMING AIRCRAFT

Inspection of aircraft.

5. (1) The medical officer may, for the purposes of these regulations, inspect any aircraft at a sanitary airport.

(2) The medical officer shall—

(a) inspect on its arrival any aircraft in respect of which the commander has sent a message under regulation 8 ;

(b) inspect any aircraft at the airport when he has reasonable grounds for believing that there is on board a case or suspected case of infectious disease.

(3) The medical officer may require any aircraft which he intends to inspect under the foregoing provisions of this regulation to be taken to some safe and convenient part of the airport for such inspection if it cannot otherwise be carried out effectively.

Examination, etc., of persons on aircraft.

6. (1) The medical officer may, and if so requested by the commander shall, examine any person on board or leaving an aircraft at a sanitary airport, when there are reasonable grounds for suspecting that—

(a) the person is suffering from an infectious disease ;

(b) the person has been exposed to infection from an infectious disease ;

(c) the person is verminous.

(2) The medical officer may—

(a) detain any such person for such examination at a place appointed for the purpose ;

(b) at a sanitary airport, require any person so examined to be disinsected, and his clothing and other articles belonging to him to be disinfected and, where necessary, disinsected ;

(c) except as provided in regulation 15, prohibit any person so examined from leaving the aircraft or airport, or permit him to leave it on such conditions and subject to the taking of such measures, pursuant to these regulations, as the medical officer considers reasonably necessary for preventing the spread of infection ;

(d) require the commander to take or assist in taking such steps as, in the opinion of the medical officer, are reasonably necessary for preventing the spread of infection, for the destruction of insects or vermin, and for the removal of conditions on the aircraft likely to convey infection, including conditions the existence of which might facilitate the harbouring of insects or vermin.

7. Where, on arrival at a sanitary airport, a person is suffering, or the medical officer suspects that he is suffering, from an infectious disease, the medical officer may cause such person on leaving the aircraft to be isolated or to be removed to a hospital or to some other suitable place approved by him for that purpose ; or except as provided in regulation 14, the medical officer may, by notice in writing to the commander, prohibit the person from leaving the aircraft without the consent in writing of the medical officer.

Isolation
of infected
persons on
arrival.

8. (1) Where there is on board an aircraft during its voyage a person who is suffering from an infectious disease or who has symptoms which may indicate the presence of infectious disease, or when there are on board the aircraft any other similar circumstances requiring the attention of the medical officer, the commander shall, immediately he is aware of the presence of such disease, symptoms or other circumstances, including any death on board caused otherwise than by accident, send a radio message to that effect to the medical officer at the first sanitary airport at which the aircraft is due to arrive, or to the person in charge of such airport.

Notification
of infectious
disease, etc.,
on board.

(2) If such radio message is sent to the medical officer, he shall immediately notify the collector of customs.

(3) If such radio message is sent to the person in charge of the sanitary airport, he shall immediately notify the medical officer and the collector of customs.

9. The commander of an aircraft, on arrival at a sanitary airport, shall—

Aircraft
Declaration
of Health.

(a) complete an Aircraft Declaration of Health and deliver it to the authorised officer ;

(b) answer all additional questions as to the health conditions on board, which may be put to him by the authorised officer, and furnish any such officer with all such information and assistance as he may reasonably require for the purpose of these regulations ;

(c) in addition to any message sent pursuant to regulation 8, notify to the medical officer any death on the aircraft during its voyage caused otherwise than by accident.

10. (1) When on arrival of an aircraft at a sanitary airport the medical officer has reasonable grounds for believing that the aircraft may be an infected aircraft, or a suspected aircraft, he may cause the aircraft to be detained for medical inspection.

Detention
of aircraft.

(2) If the medical officer has caused an aircraft to be so detained, he shall inform the person in charge of the sanitary airport of such detention and send a notice in writing of such detention to the collector of customs.

Aircraft to be inspected soon after detention.

11. (1) The medical officer shall inspect any aircraft and the persons carried thereon as soon as possible and in any case within three hours after it has been detained under the regulations.

(2) If the aircraft is one to which the medical officer is required by these regulations to apply any further measure, or if after such inspection he considers it necessary to apply any further measure permitted by these regulations, he may continue the detention of the aircraft, if such continued detention is necessary for the application of such further measure.

Release of aircraft to be notified to the commander, etc.

12. When the medical officer releases an aircraft from detention he shall give notice in writing to the collector of customs, to the commander and to the person in charge of the sanitary airport, that, so far as control under these regulations is concerned, the aircraft is free to proceed at or after a date and time stated in the notice.

Persons from infected areas.

13. On arrival of an aircraft at a sanitary airport, the medical officer may place under surveillance any person disembarking therefrom who has come from an infected area within the appropriate period specified in paragraph (1) of regulation 23.

Removal of infected persons from aircraft when required by the commander.

14. The medical officer shall, if so required by the commander of an aircraft on arrival at a sanitary airport, cause any infected person to be removed from the aircraft.

Vaccination certificate requirements.

15. All persons arriving by aircraft from without Nigeria shall be in possession of valid international certificates of vaccination against smallpox.

Removal to sanitary airport.

16. If the medical officer considers that there should be applied to an aircraft which alights elsewhere than at a sanitary airport, or to any person carried thereon, measures pursuant to these regulations which can be applied only at a sanitary airport, he may direct that the aircraft or any such person shall proceed to a sanitary airport, and he shall give the commander notice in writing of the direction and of the reasons therefor.

Additional measures.

17. Without prejudice to any other provision in these regulations, the additional measures contained in the Second Schedule shall be applicable on the arrival at a sanitary airport of—

- (a) any infected aircraft or suspected aircraft ;
- (b) any aircraft on which there is a case of typhus or relapsing fever ;
- (c) any aircraft which has during its voyage been in an area infected with plague, cholera or yellow fever ;
- (d) any suspect for smallpox on an aircraft other than an infected aircraft ;
- (e) any person on any aircraft who has come from an area infected with relapsing fever or typhus ;
- (f) any other aircraft or person, when the medical officer is satisfied that, notwithstanding that measures have been applied to the aircraft or person previously during its voyage, there is on board or has been on board since such previous application an infected person or suspect and that it is necessary again to apply any such measure, or the medical officer has evidence that such previous application was not substantially effective.

18. In applying any measures pursuant to these regulations, the medical officer shall have regard to the need for freeing aircraft from control under these regulations as quickly as possible.

Avoidance of delay.

19. (1) All aircraft shall, on arrival in Nigeria from an airport situated elsewhere than in Nigeria make their first landing at a sanitary airport.

Aircraft alighting elsewhere than at a sanitary airport.

(2) Where an aircraft alights elsewhere than at a sanitary airport, the commander of the aircraft shall forthwith notify the nearest medical officer who shall take such measures as are appropriate to the circumstances, being guided by the principles on which these regulations are based, and shall, if possible, direct the aircraft to a sanitary airport.

(3) Save for the purpose of the preceding sub-paragraph, no person carried by the aircraft shall leave its vicinity unless authorised so to do by the medical officer, nor shall any stores or cargo be unloaded from the aircraft.

PART IV—OUTGOING AIRCRAFT

20. Where an aircraft is due to depart for a destination outside Nigeria the medical officer—

Medical officer to examine outgoing aircraft.

(a) shall require any person who proposes to embark thereon to be in possession of a valid international certificate of vaccination against smallpox ;

(b) shall require any person who embarks thereon and who proposes to proceed to a yellow fever receptive area to be in possession of a valid international certificate of vaccination against yellow fever ;

(c) may examine any person who proposes to embark thereon if he has reasonable grounds for believing him to be suffering from a quarantinable disease and, if after examination the medical officer is of opinion that such person shows symptoms of such disease, shall prohibit his embarkation ;

(d) shall notify the commander of any person embarking or proposing to continue his voyage thereon who, in the opinion of the medical officer, should be placed under surveillance.

21. Any aircraft leaving Nigeria for a destination outside Nigeria shall commence its voyage at a sanitary airport.

Outgoing aircraft to take off from sanitary airport.

22. Any aircraft leaving Nigeria for a destination outside Nigeria from an airport situated in a local area infected with yellow fever, or an airport where *Aëdis aegypti* or any other domiciliary or peri-domiciliary vector of yellow fever still exists and which is bound for a yellow fever receptive area shall be disinfected under the control of the medical officer as near as possible to the time of its departure but in sufficient time to avoid delaying such departure.

Aircraft from local infected area to be disinfected.

PART V—MISCELLANEOUS

23. (1) Where these regulations permit a medical officer to place a person under surveillance the period of such surveillance shall not exceed such of the following periods as may be appropriate—

Surveillance.

(a) in respect of cholera, five days ;

(b) in respect of plague, six days ;

(c) in respect of relapsing fever, eight days ;

(d) in respect of smallpox, fourteen days ;

(e) in respect of typhus, fourteen days ;

(f) in respect of yellow fever, six days.

(2) For the purpose of these regulations a person under surveillance shall not be isolated and shall be permitted to move about freely.

(3) When a person has been so placed under surveillance for cholera, plague or smallpox pursuant to regulation 13, the period shall be reckoned from the date of his leaving the infected area.

(4) When a person has been so placed under surveillance pursuant to the additional measures, the period shall be reckoned in the manner therein specified.

Person
under
surveillance
to give infor-
mation and
submit to
examination.

24. Every person who is placed under surveillance pursuant to these regulations shall—

(a) give facilities for any medical examination required by the medical officer or by the medical officer of health for any area in which he may be during the period of surveillance ;

(b) furnish all such information as the medical officer or any such medical officer of health may reasonably require with a view to ascertaining the person's state of health ;

(c) during the period of surveillance and forthwith upon arrival at any address, other than the one stated by him upon leaving the aerodrome at which he arrived in Nigeria as his intended address send particulars of that address to the medical officer ;

(d) if so instructed by the medical officer, report immediately to the medical officer of health for any area in which he may be during the period of surveillance, and thereafter during that period report to that medical officer at such intervals as that medical officer may require.

Charges for
services.

25. (1) Where the commander of an aircraft is required by, or pursuant to, these regulations to carry out any measures with a view to reducing the danger or preventing the spread of infection, the medical officer may at the request of the commander, and, if he thinks fit, at the commander's cost cause any such requirement to be complied with instead of enforcing the requirement against the commander.

(2) The amount of the charges for any work so undertaken by the medical officer shall be such reasonable sum as represents the actual or estimated cost incurred in undertaking the work excluding any charge or claim in respect of profit, so however that it shall not exceed the sum of fifty pounds unless notice of the proposed charge has been given to the commander before the work is undertaken.

(3) Where under this regulation the medical officer causes any requirement to be complied with at the cost of the commander, the medical officer if he thinks fit may require the amount of the charge for the work or part thereof to be paid to or deposited with him before the work is undertaken.

(4) Where pursuant to these regulations, any measures have been taken with regard to an aircraft, the medical officer shall, on request by the commander, furnish him free of charge with particulars in writing of those measures, and the reasons why they were taken.

(5) Where, pursuant to these regulations, any measures have been taken with regard to any person or to any articles in the possession of that person the medical officer shall, on request by such person, furnish him free of charge with particulars in writing of those measures including the date on which they were taken.

26. Every charge authorised by regulation 25 shall be recoverable either summarily as a civil debt, or as a simple contract debt in any court of competent jurisdiction.

Recovery of charges.

27. Subject to the provisions of regulation 26 any expenses necessarily incurred by the medical officer in the enforcement and execution of these regulations shall be defrayed in the same manner as the expenses incurred by him in the execution and discharge of his other powers and duties.

Expenses of health authorities.

28. Except to the extent permitted by Part I-C of the Second Schedule to these regulations with respect to fish, shellfish, fruit, vegetables and beverages, nothing in these regulations shall render liable to detention, disinfection or destruction any article forming part of any mail conveyed under the authority of the Controller of Posts, Nigeria, or the postal administration of any other Government, or shall prejudicially affect the receipt on board and the delivery in due course at the place of destination of any such mail in accordance with the provisions of the laws of Nigeria.

Saving for mails.

29. (1) The commander of an aircraft on arrival or already at an aerodrome who is unwilling to comply with or submit to any provision of or requirement made under these regulations which may be applicable, shall so notify the medical officer. The medical officer may then require the commander to remove the aircraft immediately from the aerodrome.

Saving for aircraft unwilling to comply with regulations.

(2) If before leaving the aerodrome the commander wishes to discharge cargo or disembark passengers or to take on board fuel, water or stores, the medical officer shall permit him to do so but may impose such conditions pursuant to these regulations as the medical officer considers necessary.

(3) When the medical officer has so required the removal of an aircraft from the aerodrome, it shall not during its voyage alight at any other place in Nigeria.

30. The Quarantine (Aerial Navigation) Regulations are revoked.

Revocation.
Vol. IX,
page 2064.

EXPLANATORY NOTE

These regulations revoke the existing Quarantine (Aerial Navigation) Regulations made in 1947 and replace them with more up-to-date and comprehensive provisions in line with the International Sanitary Regulations, 1951, of the World Health Organisation of which Nigeria is a member to ensure Nigeria's compliance with those regulations in the interest of preventing international spread of diseases covered by them.

FIRST SCHEDULE

DECLARATION OF HEALTH

(Reg. 2 (1), 9 (a))

Persons on board known to be suffering from illness other than air-sickness or the effects of accidents, as well as those cases of illness disembarked during the flight.....

Any other condition on board which may lead to the spread of disease.....

Details of each disinsecting or sanitary treatment (*place, date, time, method*).....
during the flight.

If no disinsecting has been carried out during the flight give details of most recent disinsecting.....

Signed if required

Crew member concerned

SECOND SCHEDULE

(Regulation 17)

ADDITIONAL MEASURES WITH RESPECT TO THE QUARANTINABLE DISEASES

PART I.—CHOLERA

A. Infected aircraft and suspected aircraft—

(1) The medical officer may—

(a) place under surveillance any person who disembarks, the period of surveillance being reckoned from the date of arrival of the aircraft ;

(b) require the disinfection of the baggage of any infected person or suspect, and of any other article on board and any part of the aircraft which the medical officer considers to be contaminated ;

(c) require the disinfection and removal of any water on board which he considers to be contaminated, and the disinfection of the containers which have held such water.

(2) The medical officer shall prohibit the discharge or unloading from the aircraft of human dejecta and any other waste matter or water which may be contaminated and has not been disinfected.

B. Aircraft which have been in infected areas—

The medical officer may place under surveillance any person who disembarks, the period of surveillance being reckoned from the date of the departure of the aircraft from the infected area.

C. Infected aircraft, suspected aircraft, and aircraft which have been in infected areas—

(1) In addition to any measures permitted or required by the preceding provisions of this Part, the medical officer may prohibit the unloading of, or may remove from the aircraft, any fish, shellfish, fruit or vegetables to be eaten uncooked, or beverages not forming part of cargo in a freight compartment of the aircraft which he considers to be contaminated, and, if any such food or beverages is so removed, he shall arrange for its safe disposal in consultation with the collector of customs.

(2) If any of the said food or beverage forms part of cargo in a freight compartment of the aircraft and is so contaminated, the medical officer for the aerodrome at which such cargo is due to be discharged shall arrange for its safe disposal in consultation with the collector of customs.

PART II.—PLAGUE

A. Infected aircraft—

(1) The medical officer may—

(a) require any suspect on board to be disinsected and place him under surveillance, the period of surveillance being reckoned from the date of arrival of the aircraft ;

(b) require the disinsecting and, if necessary, disinfection of the baggage of any infected person or suspect, and of any other article on board and any part of the aircraft which the medical officer considers to be contaminated.

(2) If the aircraft is infected because a plague-infected rodent is found on board, the medical officer shall require the aircraft to be deratted in a manner to be determined by him.

B. Aircraft which have been in infected areas—

The medical officer may place under surveillance any suspect who disembarks, the period of surveillance being reckoned from the date of the departure of the aircraft from the infected area.

PART III.—SMALLPOX

A. Infected aircraft—

(1) The medical officer shall offer vaccination to any person on board whom he considers is not sufficiently protected against smallpox ;

(2) The medical officer may either—

(a) place under surveillance any person who disembarks, the period of surveillance being reckoned from the date on which the medical officer considers the person was last exposed to infection ; or

(b) if he considers any such person not to be sufficiently protected against smallpox, isolate him for a similar period.

(3) The medical officer shall require the disinfection of the baggage of any infected person, and of any part of the aircraft which the medical officer considers to be contaminated.

B. Suspects on other aircraft—

The medical officer may also apply the provisions of paragraphs A (1) and (2) of this Part to any suspect who disembarks from an aircraft which is not an infected aircraft.

PART IV.—TYPHUS AND RELAPSING FEVER

A. Aircraft with infected persons on board—

(1) The medical officer may require—

(a) any suspect on board to be disinsected ;

(b) the disinsecting and, if necessary disinfection of the accommodation occupied by any infected person or suspect, his clothes and baggage, and any other article which the medical officer considers may spread typhus or relapsing fever.

B. Persons coming from infected areas—

(1) The medical officer may require the disinsecting of any person who has left an infected area not more than eight days before arrival in the case of relapsing fever, or fourteen days before arrival in the case of typhus.

(2) If any person so disinsected is placed under surveillance, the period of surveillance shall be reckoned from the date of disinsecting.

PART V.—YELLOW FEVER

Infected aircraft and aircraft which have been in infected areas—

(1) The medical officer may either—

(a) place under surveillance any person who disembarks, the period of surveillance being reckoned from the date on which the medical officer considers the person was last exposed to infection ; or

(b) if he considers any such person not to be sufficiently protected against yellow-fever, isolate him for a similar period.

(2) The medical officer shall require the aircraft to be disinsected for the destruction of vectors of yellow fever which may be on board.

THIRD SCHEDULE

SANITARY AIRPORT

(Regulation 2)

CALABAR
KANO
LAGOS
MAIDUGURI

MADE at Lagos this 17th day of October, 1961.

ISA KOTO,
*Acting Deputy Secretary to the
Council of Ministers*

L.N. 136 of 1961

REGISTRATION OF UNITED KINGDOM PATENTS
ORDINANCE (CAP. 182)

Patents (Fees) Regulations, 1961

Commencement : 26th October, 1961

In exercise of the powers conferred by subsection (1) of section 14 of the Registration of United Kingdom Patents Ordinance, the Registrar of Patents, with the approval of the Minister charged with responsibility for patents, has made the following regulations—

Citation and application.

1. These regulations may be cited as the Patents (Fees) Regulations, 1961, and shall be of Federal application.

Substitution
of new fees
for fees in
Regs. 30 of
1947 and
Schedule to
Cap. 182.

2. The following fees shall be payable in respect of the matters to which they relate in substitution for the fees prescribed by the United Kingdom Patents (Fees) Regulations, 1947 and set forth in the Schedule to the Registration of United Kingdom Patents Ordinance—

	£	s	d
On application for registration	1	10	0
For registration of a patent	1	10	0
On registering notifications of assignments or trans- missions	0	15	0
For every extension of a patent	1	10	0
For an entry of a notification of an order made by a court in the United Kingdom under section 8	1	10	0
For every inspection and search, etc., for each half-hour or part thereof	0	7	6
For each certified entry under the hand of the Registrar— for each of the first three folios of one hundred words OR part thereof	0	4	0
for each subsequent folio of one hundred words OR part thereof	0	2	0

Revocation
of Regs. 30
of 1947.

3. The United Kingdom Patents (Fees) Regulations, 1947 are revoked.

MADE at Lagos, this 20th day of September, 1961.

OLAWALE FOLARIN,
Acting Registrar of Patents

Approved by the Minister of Commerce and Industry, this 11th day of October, 1961.

SHEHU SHAGARI,
Minister of Commerce and Industry

L.N. 137 of 1961

LIQUOR (LICENSING) ORDINANCE, 1959

No. 39 OF 1959

Liquor (Licensing) Regulations, 1961

Commencement : 1st October, 1961

In exercise of the powers conferred by section 50 of Liquor (Licensing) Ordinance, 1959, the Governor-General, acting in accordance with the advice of the Council of Ministers, has made the following regulations :—

1. (1) These regulations may be cited as the Liquor (Licensing) Regulations, 1961, and shall apply to the Federal territory.

Citation and
revocation.
Vol. VIII
p. 1207
(1958 Edition).

(2) These regulations shall be deemed to have come into operation on the 1st day of October, 1961.

(3) The Liquor Regulations are hereby revoked.

2. In these regulations,—

Interpreta-
tion.

“the Board” means the Licensing Board for the purposes of the Ordinance ;

“the Minister” means the Federal Minister charged with responsibility for matters relating to liquor ;

“the Ordinance” means the Liquor (Licensing) Ordinance.

3. (1) Applications for licences, or for the renewal of licences under the Ordinance shall as the case may require be made in Form A or Form B in the First Schedule to these regulations, and be addressed to the secretary of the Board, or to the Permanent Secretary of the Ministry of Lagos Affairs as the case may be.

Applications
for licences
and renewals,
Forms A
and B.

(2) Any person who knowingly makes any false statement as to the particulars prescribed for the application shall be liable to imprisonment for one year.

4. (1) The Secretary shall upon receipt of an application to him make such enquiries as are necessary and report to the Board the result of his enquiries. The report shall state—

Secretary to
report to the
Board on
applications.

(a) the character and circumstances of the applicant ;

(b) the suitability of the premises in respect of which the licence is required ;

(c) the distance to the nearest premises in respect of which a licence is held of the same class as that applied for ;

(d) the approximate number of people in the locality to be served ;

(e) whether the licence is required for public convenience ; and

(f) whether the premises are sanitary.

(2) The provisions of this regulation in its application to licences to be granted by the Minister shall be read and construed with all necessary amendments.

5. (1) The secretary shall notify to each member of the Board the day, hour and place appointed by the Chairman for any sitting of the Board, and if the Chairman for any reason fails to make the appointment, the power may be exercised by the Minister.

Meetings,
etc., of Board.

(2) The Chairman shall preside at every sitting of the Board and in his absence the senior official member present shall be chairman of the meeting.

(3) The Chairman and three members shall form a quorum of the Board for any meeting.

(4) The decision of the majority of the members present shall be the decision of the Board, and in the event of an equality of votes the Chairman shall have a casting vote as well as a deliberative vote.

(5) The Chairman may from time to time adjourn any meeting of the Board necessary to enable the completion of business before the Board.

(6) On completion of the business before the Board the secretary shall send a copy of every relevant decision of the Board to the Permanent Secretary of the Ministry of Lagos Affairs for the information of the Minister.

Preparation,
etc., of the
certificates.
Form C.

6. (1) Where the Board decides to issue or renew a licence other than a railway restaurant car liquor licence, the decision shall be evidenced by a certificate in the Form C in the First Schedule ; and when prepared by the secretary the certificate shall be signed by the Chairman, or as the case may be, by the chairman at the meeting when such decision was taken.

Form D.

(2) Where an application relates to the issue or renewal of a railway restaurant car liquor licence, the approval shall be evidenced by a certificate in the Form D in the First Schedule and when prepared by the Permanent Secretary of the Ministry of Lagos Affairs shall be signed by the Minister.

Forms of
licence.

7. Licences in the Forms E to N in the First Schedule to these regulations shall from time to time be issued as the case may require.

Restriction
of sale, etc.,
of trade
spirits.

8. Trade spirits shall not be purchased or sold except in vessels or receptacles in which such spirits were imported, and where any person in a licensed area purchases or sells trade spirits in any other vessel or receptacle he shall be liable on conviction to a fine of one hundred pounds and in addition the trade spirits and the receptacle shall be forfeited.

Prohibition
of supply of
liquor to
railway
servants on
duty.

9. There shall be endorsed on every licence issued under the Ordinance a condition that no liquor shall be supplied to a railway servant on duty ; and the conviction of any offender for the failure to comply with the condition shall operate as a revocation of the licence.

Fees.
Second
Schedule.

10. (1) Subject to the provisions of this regulation, the fees to be paid before the issue of a licence shall be the fees prescribed in the Second Schedule to these regulations for the licences.

(2) The fees to be payable in advance on application for or renewal of a licence or for the transfer or removal of a licence shall be the fees prescribed in the said Second Schedule.

(3) Where any licence, other than a temporary licence, is issued after the 30th day of June in any year, the fee payable shall be one-half of the fee prescribed for the licence.

(4) Where the fee for a licence exceeds ten pounds and the licence is issued before the 30th day of June in any year, one-half of the fee shall be payable before the issue of the licence and the balance shall be paid not later than the 30th day of June in the year of issue of the licence ; and if not then paid the licence shall forthwith expire.

SCHEDULES

FIRST SCHEDULE

FORM A

Liquor (Licensing) Ordinance, 1959

Regulation 3

Application for Licence

(For use by a person who does not hold a licence of the class applied for in respect of the premises in relation to which the licence is required).

To the Secretary of the Licensing Board, Lagos.

*Permanent Secretary, Ministry of Lagos Affairs, Lagos.

1. Name of applicant.....
2. Nationality
3. Age of applicant
4. Address to which notices in relation to the application shall be sent.....

5. Class of licence required

6. Description and situation of the premises in respect of which the licence is required

7. Name of the company or firm (if any) which the applicant represents and the country in which the company is incorporated (and the nationality of every member of the firm)

8. Whether the licence is to be issued to the applicant or to the company or firm

9. Whether the applicant or the company or firm which he represents has previously held any licence authorising the sale of liquor, which has been forfeited or revoked

DATED this day of, 19....

Fee :—Seven Shillings and Sixpence.

Signature of Applicant

* Application for the grant of a railway restaurant car liquor licence shall be made to the Ministry of Lagos Affairs.

FORM B

Liquor (Licensing) Ordinance, 1959

Regulation 3

Application for the renewal of licence

To the *Secretary of the Licensing Board, Lagos.

*Permanent Secretary, Ministry of Lagos Affairs, Lagos.

1. Name and address of applicant
2. Class and number of licence held
3. Description and situation of the premises licensed
4. Name of present licence holder

5. If the licence is held by a company or a firm or by a representative of a company or firm, whether there has been any and if so what change in the constitution of the company or any new member of the firm, and if so the nationality of such member

6. Whether any conviction has been endorsed on the current licence since it was issued, and if so the particulars of each endorsement.....

Dated this day of, 19....

Fee :—Seven Shillings and Sixpence.

.....
Signature of Applicant

* Application for the renewal of a railway car liquor licence shall be made to the Ministry of Lagos Affairs.

FORM C

Liquor (Licensing) Ordinance, 1959 *Regulation 6 (1)*

Certificate of Licensing Board for the grant or renewal of a licence in Lagos.

To all persons concerned.

This is to certify that the application of of
..... for a in respect of
..... having been considered by the
Licensing Board at a meeting held at on
the Licensing Board has directed that the aforesaid licence may be issued to
the said in respect of the said
premises subject to the following special conditions to be endorsed on the
licence and to be observed by the licensee :—

1.
2.
3.
4.

Dated this day of, 19....

.....
Chairman of Licensing Board

FORM D

Liquor (Licensing) Ordinance, 1959 *Regulation 6 (2)*

Certificate of the Minister of Lagos Affairs for the grant or renewal of a railway restaurant car liquor licence

To all persons concerned.

This is to certify that the application of of
..... for a having been considered
by the Minister, it has been directed by the Minister that the aforesaid
licence shall be issued to the said in

respect of the said premises subject to the following special conditions to be endorsed on the licence and to be observed by the licensee :—

1.
2.
3.
4.

DATED this day of, 19.....

.....
Minister of Lagos Affairs

FORM E

Liquor (Licensing) Ordinance, 1959

Regulation 7

Tavern Licence

A.B. of is hereby licensed to sell by retail intoxicating liquor other than trade spirits on (description and situation of premises) to be consumed on the said premises.

This licence is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force thereunder and to the following special conditions :—

1.
2.
3.

DATED this day of, 19.....

Fee : £50-0s-0d

.....
Secretary of Licensing Board

FORM F

Liquor (Licensing) Ordinance, 1959

Regulation 7

Wine and Beer On Licence

A.B. of is hereby licensed to sell by retail wine and beer on (description and situation of premises) to be consumed on the said premises.

This licence does not authorise the sale of wine or beer containing more than twenty per cent of pure alcohol, and is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force under the said Ordinance and to the following special conditions :—

1.
2.
3.

DATED this day of, 19.....

Fee : £15-0s-0d

.....
Secretary of Licensing Board

FORM G

*Liquor (Licensing) Ordinance, 1959**Regulation 7***Wine and Beer Off Licence**

A.B. of is hereby licensed to sell by retail wine and beer on (description and situation of premises) to be consumed elsewhere than on the said premises.

This licence does not authorise the sale of wine or beer containing more than twenty per cent of pure alcohol, and is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force under the said Ordinance and to the following special conditions:—

1.
2.
3.

DATED this day of, 19.....

Fee : £7-10s-0d.

.....
Secretary of Licensing Board

FORM H

*Liquor (Licensing) Ordinance, 1959**Regulation 7***General Wholesale Liquor Licence**

A.B. of is hereby authorised to sell by wholesale intoxicating liquor on (description and situation of premises) to be consumed elsewhere than on the said premises.

This licence is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force thereunder and to the following special conditions:—

1.
2.
3.

DATED this day of, 19.....

Fee : £75-0s-0d.

.....
Secretary of Licensing Board

FORM I

*Liquor (Licensing) Ordinance, 1959**Regulation 7***General Retail Liquor Licence**

A.B. of is hereby licensed to sell by retail intoxicating liquor on (description and situation of premises) to be consumed off the said premises.

This licence is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force thereunder and to the following special conditions :—

1.
2.
3.

DATED this day of, 19....

Fee : £75-0s-0d.

.....
Secretary of Licensing Board

FORM J

Liquor (Licensing) Ordinance, 1959

Regulation 7

Hotel Liquor Licence

A.B. of is hereby authorised to sell by retail on (description and situation of the hotel premises) intoxicating liquor other than trade spirits :—

(a) on any day and at any hour, to person sleeping on the said premises to be consumed thereon ;

(b) to persons taking meals on the said premises to be consumed thereon with the meals during the hours in which the sale of liquor is allowed under a tavern licence.

This licence is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force thereunder and to the following special conditions :—

1.
2.
3.

DATED this day of, 19....

Fee : £50-0s-0d.

.....
Secretary of Licensing Board

FORM K

Liquor (Licensing) Ordinance, 1959

Regulation 7

Club Liquor Licence

A.B. of being the
..... of the club known as

ituate at is hereby authorised

to sell intoxicating liquor, other than trade spirits, to members of the said club to be consumed on the club premises.

This licence is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force thereunder and to the following special conditions:—

1.
2.
3.

DATED this day of 19.....

Fee : £50-0s-0d in the case of a proprietary club.

£25-0s-0d in the case of members' club.

.....
Secretary of Licensing Board

FORM L

Liquor (Licensing) Ordinance, 1959

Regulation 7

Railway Station Liquor Licence

A.B. of is hereby

licensed to sell by retail to the railway station refreshment room at

..... intoxicating liquor, other than trade spirits, to bona fide passengers travelling by train, to be consumed on the railway premises.

This licence is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force thereunder and to the following special conditions:—

1.
2.
3.

DATED this day of 19.....

Fee : £22-10s-0d.

.....
Secretary of Licensing Board

FORM M

Liquor (Licensing) Ordinance, 1959

Regulation 7

Railway Restaurant Car Liquor Licence

A.B. of is hereby

licensed to sell by retail on a restaurant car on the Nigerian Railways intoxicating liquor, other than trade spirits, to passengers travelling on the train, to be consumed on the train.

This licence is issued subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force thereunder and to the following special conditions :—

1.
2.
3.

DATED this day of, 19.....

Fee : £25-0s-0d.

.....
Minister of Lagos Affairs

FORM N

Liquor (Licensing) Ordinance, 1959

Regulation 7

Temporary Liquor Licence

..... of being the holder of a * licence to sell intoxicating liquor retail is hereby licensed subject to the provisions of the Liquor (Licensing) Ordinance, 1959 and to the regulations for the time being in force thereunder to sell intoxicating liquor by retail at between the hours of and on the following days † subject to the special restrictions and conditions endorsed on the back hereof.

DATED this day of 19.....

Fee : £1-10s-0d per day or part thereof.

.....
Secretary of Licensing Board

* Description.

† State number of days not exceeding three.

SECOND SCHEDULE

Licence Fees

Regulation 10

						<i>Fees</i>		
						£	s	d
A. FEE CHARGED ON APPLICATION FOR LICENCES AND RENEWALS OF LICENCES								
For each application	..	..	..	..	..	0	7	6
B. CLASS OF LICENCE								
For Tavern licence	..	..	..	..	..	50	0	0
For Wine and Beer on licence	..	..	..	..	..	15	0	0
For Wine and Beer off licence	..	..	..	..	..	7	10	0
For General Wholesale Liquor licence	..	..	..	..	..	75	0	0
For General Retail Liquor licence	..	..	..	..	..	75	0	0

						<i>Fees</i>		
						£	s	d
For Hotel Liquor licence	..	..	..	..	..	50	0	0
For Club licence relating to—								
(a) Proprietary club	..	..	..	..	..	50	0	0
(b) Member's club	..	..	..	..	..	25	0	0
For Railway Station Liquor licence	..	..	..	..	..	22	10	0
For Railway Restaurant Car liquor licence	..	..	..	..	..	25	0	0
For Temporary liquor licence—each day or part of a day	..	..	..	..	..	1	10	0

C. TRANSFERS AND REMOVALS

For the transfer or removal of a licence—

- (a) where it relates to a tavern or hotel or is a general wholesale or retail licence 1 10 0
- (b) where it is any other class of licence capable of being transferred or removed 0 15 0

DATED at Lagos, this 11th day of October, 1961.

ISA KOTO,
Acting Deputy Secretary to the
Council of Ministers

L0398/S. 7

L.N. 138 of 1961

NATIONAL PROVIDENT FUND ACT, 1961
(1961, No. 20)

National Provident Fund (Appointed Day) (Amendment)
Order, 1961

In exercise of the powers conferred upon the Minister of Labour as the Federal Minister charged with responsibility for the National Provident Fund by subsection (2) of section 1 of the National Provident Fund Act, 1961, the following Order is hereby made—

Citation. 1. This Order may be cited as the National Provident Fund (Appointed Day) (Amendment) Order, 1961.

Amendment of section 5. 2. The National Provident Fund (Appointed Day) Order, 1961 is amended by revoking section 5 and substituting the following section :

“Contributions. 5. Section 13 of the Act (which relates to contributions to the Fund) shall come into operation three months after the commencement of this Act as prescribed in section 3 of this Order.”

23rd October, 1961.

J. M. JOHNSON,
Federal Minister of Labour

L.N. 139 of 1961

LIQUOR (LICENSING) ORDINANCE 1959

(No. 39 of 1959)

Appointed Day Notice

In exercise of the powers conferred by subsection (1) of section 1 of the Liquor (Licensing) Ordinance, 1959, the Governor-General, acting in accordance with the advice of the Council of Ministers, has appointed the 1st of October, 1961, as the day upon which the said Ordinance shall come into operation.

Lagos, 11th October, 1961.

L0398/S. 7

ISA KOTO,
*Acting Deputy Secretary to the
Council of Ministers*

L.N. 140 of 1961

COMPANIES ORDINANCE (CHAPTER 37)

Companies (Fees) Notice, 1961

Commencement : 26th October, 1961

Notice is hereby given that in exercise of the powers conferred upon him the Minister charged with responsibility for companies has appointed and fixed the fees payable for the purposes of sections 231 and 232 of the Companies Ordinance—

- | | |
|--|---|
| 1. This Notice may be cited as the Companies (Fees) Notice, 1961 and shall be of Federal application. | Citation and application. |
| 2. The fees specified in Column 2 of the First Schedule for the purposes set out in Column 1 thereof are appointed for the purposes of section 231 of the Ordinance. | Fees under s. 231 (5) of Cap. 37. |
| 3. The fees specified in Column 2 of the Second Schedule for the purposes set out in Column 1 thereof are fixed for the purposes of section 232 of the Ordinance. | Fees under s. 232 (1) of Cap. 37. |
| 4. The Notice published as Notice 133 of 1917 and the Companies Fees Notice published as Public Notice 81 of 1942 are revoked. | Revocation Vol. VII, p. 121 and p. 122. |

FIRST SCHEDULE

	£	s	d
For inspecting any document kept by the Registrar	0	1	0
For each Certificate of Registration	0	5	0
For each certified copy of, or extract from, any document kept by the Registrar—			
For each of the first three folios of one hundred words or part thereof	0	4	0
For each subsequent folio of one hundred words or part thereof	0	2	0

SECOND SCHEDULE

For registering any mortgage or charge required to be registered under Part III of the Companies Ordinance whether created by a company or existing on property acquired by a company—

Where the amount of the mortgage or charge does not exceed £200 0 15 0

Where it exceeds £200 1 10 0

For registering particulars of a series of debentures under Part III of the Companies Ordinance—

Where the total amount secured by the whole series does not exceed £200 0 15 0

Where it exceeds £200 1 10 0

For registering the appointment of a receiver or manager of the property of a company under section 102 0 7 6

For inspecting the register of mortgages and charges— for each inspection 0 2 0

MADE at Lagos this 11th day of October, 1961.

SHEHU SHAGARI,
Minister of Commerce and Industry

L.N. 141 of 1961

BILLS OF SALE ORDINANCE (CAP. 22)

Bills of Sale (Fees) Rules, 1961

Commencement : 26th October, 1961

In exercise of the powers conferred by section 3 of the Bills of Sale Ordinance, the Minister charged with responsibility for bills of sale has made the following rules—

Citation.

1. These rules may be cited as the Bills of Sale (Fees) Rules, 1961, and shall apply to the Federal territory.

Amendment
of First
Schedule
(Vol. VII,
p. 57)

2. The First Schedule to the Bills of Sale Rules is revoked and the following substituted therefor—

"FIRST SCHEDULE

FEES

	£	s	d
1. On filing a bill of sale and affidavit therewith where the consideration (including further advances) does not exceed £200	0	15	0
exceeds £200	1	10	0
2. On filing the affidavit used for the purpose of registering a bill of sale	0	7	6
3. On filing affidavit under rule 4	0	7	6
4. On issuing summons under rule 5	0	10	0
5. For search of the index kept by the Registrar	0	2	0
6. For inspection of a copy of a bill of sale	0	2	0"

MADE at Lagos, this 11th day of October, 1961.

SHEHU SHAGARI,
Minister of Commerce and Industry